

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DENNIS SISNEROS,

Plaintiff,

vs.

No. CIV 09-0213 JB/ACT

MICHAEL FISHER, in his individual capacity,
and THE COUNTY OF BERNALILLO,

Defendants.

ORDER

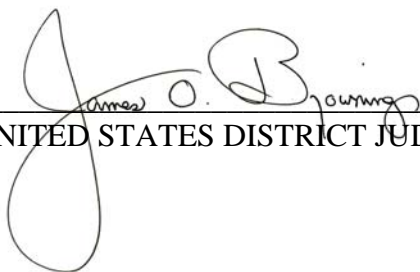
THIS MATTER comes before the Court on the Defendants' Objections Regarding the Proposed Deposition Testimony of Denise Sisneros, filed February 10, 2010 (Doc. 65). The Court held a hearing on February 19, 2010. The primary issue is which, if any, of Defendants Michael Fisher and the County of Bernalillo's objections to the deposition testimony of Denise Sisneros the Court should sustain. Plaintiff Dennis Sisneros plans to call Denise Sisneros, his daughter, to testify at trial by deposition. The Defendants raise the following objections to portions of Denise Sisneros' deposition:

<u>Page</u>	<u>Objections</u>
3:7-9	Relevance
5:5-9	Relevance
9:13-12:4	Relevance
12:20-13:6	Relevance
13:10-14	Relevance
14:1-16:19	Hearsay, relevance

Objections at 1-2. See Deposition of Denise Sisneros (taken Oct. 26, 2009), filed February 10, 2010 (Doc. 65-2). At the hearing, however, the Court heard a truncated set of objections. See Transcript of Hearing at 47:3-53:6 (taken January 19, 2010)(Court, Wells, Villa)(“Tr.”);¹ Tr. at 48:24-49:1 (Wells)(“Some of these I’m not going over because of -- in light of the Court’s previous ruling. So, I’m just trying to make it shorter here.”). The Court has carefully reread the Defendants’ objections and the deposition transcript and the Court will overrule all objections that the Defendants did not specifically raise at the hearing. With respect to those objections that the Defendants raised at the hearing, for the reasons stated on the record, and for further reasons consistent with those already stated, the Court rules as follows:

1. Defendants’ objections to 10:6-15 are sustained in part and overruled in part. The Court excludes from trial line 6, the parenthetical comment on line 10, lines 11 and 12, and the second sentence beginning on line 14 that extends to line 15.
2. Defendants’ objections to 14:25-15:17 and 15:24-25 are overruled.
3. Defendants’ objections to 16:11-19 are sustained.

IT IS ORDERED that the Defendants’ Objections Regarding the Proposed Deposition Testimony of Denise Sisneros are sustained in part and overruled in part as set forth in this Order.



UNITED STATES DISTRICT JUDGE

¹ The citations to the transcript of the hearing refer to the court reporter’s original, unedited version. Any final transcript may have slightly different page and/or line numbers.

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